

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

THE HOLMES GROUP, INC., :  
: Civil Action No. 05-CV-11367 WGY  
Plaintiff/Counter-Defendant, :  
: (Alexander, M.J.)  
v. :  
: WEST BEND HOUSEWARES, LLC and  
FOCUS PRODUCTS GROUP, L.L.C., :  
: Defendants/Counter-Plaintiffs. :

**Joint Motion for Dismissal**

Plaintiff, The Holmes Group, Inc., now known as Sunbeam, Inc., d/b/a/ Jarden Consumer Solutions, (hereinafter "Holmes"), and Defendants, West Bend Housewares, LLC and Focus Products Group, LLC (collectively referred to as "West Bend and Focus Products") have agreed to a settlement of this dispute and submit this Joint Motion for Dismissal pursuant to the terms of a confidential settlement agreement with an effective date of February 15, 2007.

Accordingly, pursuant to the terms of the confidential settlement agreement, the parties respectfully move the Honorable Court to enter the attached Agreed Order Of Dismissal.

Dated: February 16, 2007

SUNBEAM PRODUCTS, INC.  
d/b/a JARDEN CONSUMER SOLUTIONS  
f/k/a THE HOLMES GROUP, INC.

/s/Alan M. Sack/

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FOCUS PRODUCTS GROUP, LLC  
&  
WEST BEND HOUSEWARES, LLC

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FOCUS PRODUCTS GROUP, L.L.C., :  
: :  
Defendants/Counter-Plaintiffs. :

**AGREED ORDER OF DISMISSAL**

This action comes before the Court on the pleadings and proceedings of record, and it has been represented to the Court that the plaintiff, The Holmes Group, Inc., now known as Sunbeam, Inc., d/b/a Jarden Consumer Solutions, (hereinafter "Holmes"), and Defendants, West Bend Housewares, LLC and Focus Products Group, LLC (collectively referred to as "West Bend and Focus Products") have agreed to a settlement of all claims and counterclaims in this action subject to the terms of a confidential settlement agreement with an effective date of February 15, 2007.

WHEREFORE, with the consent of plaintiff and defendants, it is hereby finally ORDERED, ADJUDGED and DECREED as follows:

1. This Court has personal jurisdiction over the parties and the subject matter of this action.
2. All claims and counterclaims of Holmes, West Bend, and Focus Products are hereby dismissed with prejudice, subject to the terms of the parties' confidential settlement agreement.
3. Each party to this Order shall bear its own costs and attorneys' fees.

SO ENTERED:

Dated \_\_\_\_\_

\_\_\_\_\_  
United States District Court Judge